

SCA 16 (DeSaulnier)
As Introduced – February 27, 2009

INDIRECT INITIATIVES
Fact Sheet

SUMMARY

SCA 16 will provide a voluntary alternative to the existing initiative process and create an indirect initiative process, something that existed in California until 1966.

BACKGROUND

From 1879 to the mid-90's California ranked 1st in the nation in proposed amendments (812) and 2nd in adopted ones (485), averaging 4.29 constitutional amendments a year. This has led to a constitution that is now a "Winchester House" of propositions and initiatives, cobbled together in a piecemeal manner. It is no longer a coherent, effective document. The number of initiatives that appear on ballots has also led to voter fatigue.

A December 2008 Public Policy Institute of California (PPIC) poll found that 63% of voters agree that ballot wording was too complicated and confusing and 52% agree that there were too many ballot initiatives on the November 2008 ballot.

The same PPIC poll found that 77% of voters support having a system of review and revision of proposed initiatives to avoid legal issues and drafting errors. The same number, 77% of voters, also favor having a time period when the sponsor of the initiative and the legislature could try to reach a compromise solution before the initiative reaches the ballot.

There are currently 8 states (Maine, Massachusetts, Michigan, Mississippi, Nevada, Ohio, Utah, and Washington) that have an indirect initiative process. California's constitution had a provision for an indirect statutory initiative that was eliminated in 1966.

Currently in California, initiative proponents must provide the Secretary of State a petition signed by 5% of the electors for a statutory change and 8% of the electors for an amendment to the Constitution.

THIS BILL

SCA 16 will reinstate the indirect initiative process in order to provide for legislative deliberation and debate on the issue while also examining the effect it will have on the state budget and other existing programs and state policy.

Specifically, SCA 16 will allow the proponents who collect 2% fewer signatures - 3% for a statutory change and 6% for a constitutional amendment – to voluntarily send the initiative to the legislature for review.

The legislature may then enact the initiative themselves as it was provided to them by the proponents or the legislature may make changes to the initiative.

If the legislature fails to take action on the initiative the proponents will need to provide the Secretary of State with another petition, signed by 2% of the electors, bringing the signature requirement up to the current threshold of 5% for statutory changes and 8% for constitutional amendments.

This will provide for a more open process and ideally will end with the legislature enacting a reform sufficient to the initiative proponents and will reduce the number of initiatives on the ballot.

STATUS

May 2010 – Senate Floor

SUPPORT

- None Received

OPPOSITION

- None Received

FOR MORE INFORMATION

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